

# SMARA UPDATE

The Quarterly Newsletter of the Department of Conservation, Office of Mine Reclamation

## OMR's SMARA Workshops are Back !



During 2006, the Office of Mine Reclamation (OMR) will conduct a series of free SMARA workshops for lead agencies, mine operators, consultants, and other interested parties.

OMR is offering two-day workshops at seven locations around the state. The first day's workshop is geared toward lead agency staff, focusing on lead agency SMARA reporting and compliance responsibilities. This workshop will be conducted by OMR's Reporting and Compliance Unit. The second day is devoted to the preparation and review of reclamation plans, and will be conducted by OMR's Reclamation Unit staff.

Class size is limited to 50 participants, so pre-registration is required. Attendees can pre-register to attend one or both days of the workshops. Please note that while the workshops are open to all, preference will be given to SMARA lead agency staff if enrollment exceeds available space.

Workshop dates and locations are shown on page 2 and are available online at: [http://www.consrv.ca.gov/omr/workshops/current\\_schedule.htm](http://www.consrv.ca.gov/omr/workshops/current_schedule.htm).

Please visit <http://www.consrv.ca.gov/omr/workshops/registration.htm> to register online. If you have questions about the workshops or would like to register by phone, please call Cheryl Closson at (916) 324-0681.

Register now! Early workshops are already beginning to fill up!

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## 2006 SMARA WORKSHOP TOPICS

DAY ONE	DAY TWO
<p style="text-align: center;"><b>SMARA Lead Agency Training</b></p> <ul style="list-style-type: none"> <li>• SMARA Overview</li> <li>• Lead Agency / OMR Responsibilities</li> <li>• Enforcement Processes</li> <li>• Financial Assurance Mechanisms</li> <li>• Financial Assurance Cost Estimate Preparation/Review</li> <li>• The AB 3098 List</li> </ul>	<p style="text-align: center;"><b>Preparation and Review of Reclamation Plans</b></p> <ul style="list-style-type: none"> <li>• SMARA Requirements for Reclamation Plans</li> <li>• End Uses &amp; Performance Standards</li> <li>• Environmental Setting, Sensitive Species and Habitats</li> <li>• Topsoil Management</li> <li>• Revegetation</li> <li>• Erosion Control and Slope Stability</li> <li>• Hydrology and Water Quality</li> <li>• Report Preparation and Professional Standards</li> </ul>

## WORKSHOP LOCATIONS / DATES

San Diego Regional Water Quality Control Board 9174 Sky Park Court, Suite 100 San Diego, CA 92123	March 14-15, 2006
Caltrans Training Office 655 W. 2nd Street San Bernardino, CA 92410	April 18-19, 2006
Justice Joseph A. Rattigan Building 50 D Street, Room 410 Santa Rosa, CA 95404	May 17-18, 2006
Redding *	June 2006 *
San Luis Obispo *	September 2006 *
Mammoth Lakes *	October 2006 *
Bakersfield *	November 2006 *

\*Exact locations and dates will be posted to the OMR website once they are finalized.

## Meet the New Manager of the Abandoned Mine Lands Unit

There's a new manager in the Office of Mine Reclamation. **Cy Oggins** has been named to head OMR's Abandoned Mine Lands Unit (AMLU). Cy comes to the Department of Conservation from the California State Lands Commission (CSLC), where he served as a Project Manager and Staff Environmental Scientist in the Commission's Environmental Planning and Management Division. While working at the CSLC, Cy helped coordinate efforts with OMR to remediate physical safety hazards at abandoned mine sites on CSLC property. Previously, Cy managed the California Coastal Commission's Coastal Nonpoint Pollution Control Program. In past years, Cy worked as an oceanographer and ship's officer for the National Oceanic and Atmospheric Administration Commissioned Corps and as a volunteer supervisor for the Marine Mammal Center in Sausalito.



Cy has a bachelor's degree in geophysical sciences from the University of Chicago and a master's degree in water resources administration from the University of Arizona, College of Engineering and Mines. He was a graduate teaching assistant at the University of Arizona's Hydrology & Water Resources Department and a graduate research assistant at the Udall Center for Studies in Public Policy. Cy also studied oceanography at a Boston University-affiliated program based in Woods Hole, Massachusetts.

With 15 years of State service, Cy brings with him a wealth of experience in preparing highly complex and sensitive CEQA documents, managing contracts, securing additional funding, handling media inquiries, conducting workshops, and coordinating and negotiating with representatives from federal, state, and local agencies as well as public and private interest groups.

Cy finds his new role both challenging and energizing. With an estimated 47,000 abandoned mines in the State, there's plenty of work to be done. In his first months at the Department, Cy has been hard at work, hiring new staff and planning a significant expansion in abandoned mine remediation activities. With his enthusiasm and leadership, 2006 will no doubt be a record year for AMLU accomplishments. Welcome aboard, Cy!

## New Surface Mining Inspection Report Form – Available Online

Lead agencies must conduct an inspection of each surface mining operation within six months of receiving its annual report. These inspections must be conducted using a form developed by the Department of Conservation and approved by the State Mining and Geology Board (SMGB).

The Office of Mine Reclamation has updated the Surface Mining Inspection Report form (MRRC-1). The revised form was approved by the SMGB at its September 2005 meeting. The new form contains an additional page for capturing financial assurance information. You can access the new "fill and print" form online at: [http://www.consrv.ca.gov/omr/reporting\\_compliance/index.htm](http://www.consrv.ca.gov/omr/reporting_compliance/index.htm). For more information, please see the notice on pages 14 and 15.

## Weed Control and Mine Reclamation

Reclamation regulations require that weeds be managed during mining and reclamation. Specifically, CCR 3705(k) states, "Noxious weeds shall be managed: (1) when they threaten the success of proposed revegetation; (2) to prevent spreading to nearby areas; and (3) to eliminate fire hazard." But what is a noxious weed, and why are we concerned with their management? What is required of mine operators, and what are their options for weed control? What resources exist to learn more about these weeds?

Noxious weeds are non-native plant species that have been designated "noxious" by law; other terms often used are invasive or exotic species. The word "noxious" simply means harmful. Not all weeds are given the noxious designation. "Invasive or exotic species" means an aggressive alien species whose introduction does cause or is likely to cause economic or environmental harm or harm to human health. These invasive weeds impact the quality of agricultural fields, rangelands, and wildlands by out-competing the native species. The results can include degraded forage for livestock and diminished habitat for threatened and endangered species. Noxious weeds can also increase the potential for wildfires, diminish soil fertility, deplete water resources, reduce plant and animal diversity, accelerate erosion, and upset a range of other ecosystem processes. These exotic species readily spread and occupy sites where the soil has been disturbed or the plant cover has been removed, making mine sites particularly susceptible to invasion.

### Monitoring and Management

While there is not a single right way to control invasive species, prevention and early response are always preferable over waging a costly war on a well-established weed infestation. A monitoring program can allow land managers and mine operators to recognize potential weed problems early, control them before they reproduce and spread, and maintain adequate follow-up control.

The goal of any management plan associated with reclamation should not be simply to control the noxious weeds, but to improve the condition of the desired plant cover to prevent reinvasion. Revegetation measures reintroduce appropriate species to the site in order to establish a self-sustaining vegetative cover, usually consisting of local, native species. Several techniques can help to give these plants a competitive advantage over noxious weeds during the installation phase of reclamation. These include the use of mulches or weed mats around the bases of plants and the application of slow-release fertilizer into the planting holes -- as opposed to broadcast application, which can favor weed establishment.

Performance standards are required to measure the success of revegetation. The performance standards stipulate that only cover of native or intentionally planted species are counted, so that establishing a cover of weeds is not an acceptable substitute for revegetation. The annual monitoring program for measuring revegetation success should include monitoring for the presence of



noxious weeds, with low thresholds established that trigger management actions. For example, if more than one plant of Weed Species A is found in a 10' x 10' plot, mechanical removal will be initiated. If more than 15 of the weed plants occur in the plot, the site will be treated with the appropriate herbicide. When revegetation success standards are not being met, a combination of weed control and renewed revegetation efforts may be necessary.

Weed management should consist of a strategic plan based on an understanding of the biology of the specific weeds present on the site. Control strategies are often a combination of mechanical, cultural, biological, and chemical techniques. Mechanical controls involve physical removal with simple hand or power tools. Cultural measures involve grazing with livestock or applying controlled fire to reduce weed populations. Revegetation is also considered a cultural method of weed management. Biological controls employ insects or other organisms that feed only on targeted invasive plants. Chemical controls use herbicides to kill weed plants and can be applied using a variety of sprayers. However, many herbicides are controlled substances with specific regulations and protocols for their use and require a Pest Control Applicator's license to apply.

#### Partnerships and Resources

Due to the growing recognition of the negative impacts caused by noxious weeds, partnerships have arisen among several state and federal agencies, private organizations, and concerned citizens to provide information and support for weed control. The California Interagency Noxious Weed Coordinating Committee was formed in 1995 to bring together 14 federal, state, and county agencies to coordinate management of noxious weeds. Weed Management Areas (WMAs) have formed in California to bring together local landowners and managers (private, city, county, State, and federal) in a geographical region to coordinate efforts against common invasive species. The number of WMAs in California has grown from seven in 1998 to 46 in 2006. They provide printed weed identification and control brochures, educational events, and other management projects for their respective areas.

Other important resources at the State level are the California Invasive Plant Council (CalIPC at <http://www.cal-ipc.org/>), and University of California's Cooperative Extension Weed Research and Information Center (<http://wric.ucdavis.edu/>). The California Invasive Species Information Catalog (CRISISCat) is a clearinghouse for information on invasive species in California located at <http://cain.nbii.org/crisis/crisiscat/>. The California Department of Food and Agriculture (CDFA) provides a weed education clearinghouse ([www.cdfa.ca.gov/weededucation](http://www.cdfa.ca.gov/weededucation)), and the US Department of Agriculture (USDA) has a plants database ([plants.usda.gov](http://plants.usda.gov)). [Invasivespeciesinfo.gov](http://invasivespeciesinfo.gov) is another website on weeds that is maintained by the federal government. The Nature Conservancy also addresses invasive species on a national level at <http://nature.org/initiatives/invasivespecies/>. All of these organizations, through their websites and publications, offer up-to-date information and research on the biology and best management practices for specific weeds. Local consultants and weed management experts are also available to help with site-specific eradication efforts.

*Leah Gardner Miller  
Environmental Scientist*

## New Faces at OMR

**The Reclamation Unit** is very glad to have two new engineering geologists on board. **John Curless** first joined the Department of Conservation in 2000 as an engineering geologist with the North Coast Watershed Assessment Program in the Division of Mines and Geology. John's work focused on the fluvial geomorphology of a number of rivers in northern California. Most recently, John served as a legislative analyst in the Department's Office of Governmental and Environmental Relations. This is where John learned how the Department functions on a large scale. John has a bachelor of science degree in geology from Humboldt State University and a master's degree in economic geology from Oregon State University. John is a professional geologist and a certified engineering geologist. John has practiced economic, environmental, and engineering geology in many parts of California as well as in other states and Southeast Asia. John is happy to join us in OMR, where he can apply his extensive knowledge to mine reclamation issues.



**Will Arcand**, a geologist born and raised in northern California, is happy to be joining the Department and the OMR team. Will received his bachelor's degree in geology from Humboldt State University in 1997, and began his professional career working for a consulting geologist in Santa Cruz, California the following year. After two years of conducting geologic hazards investigations up and down the central California coast, Will entered into State service by accepting an engineering geologist position with the North Coast Regional Water Quality Control Board. He spent most of the past five years reviewing timber harvest plans and timber sale activities on U.S. Forest Service lands for the Regional Water Board in the far northern and western reaches of the State. Will is a licensed pro-

fessional geologist and has worked extensively in the multi-faceted fields of engineering geology, watershed protection, and erosion control. As a new member of the Reclamation Unit, Will anticipates gaining new experiences and applying his geologic background toward effective reclamation of mined lands throughout the State.

**Beth Hendrickson** is the new environmental scientist in the Reclamation Unit. Beth served as a Peace Corps volunteer in West Africa for two years and became interested in plants after returning to her native California. She studied plant ecology and graduated with a master's degree from UC Santa Barbara. She worked for several years as a self-employed botanical consultant in the central coast before joining the Department of Water Resources (DWR) 12 years ago. Her work has



included planning, implementing, and monitoring several large riparian and wetland restoration projects, as well as rare plant surveys, wetland delineations, GIS mapping, construction monitoring, and more. She looks forward to participating in mine reclamation and helping achieve SMARA goals.

**The Abandoned Mine Lands Unit (AMLU)** has recently filled their two new environmental scientist positions. **Janet Carey** has a bachelor's degree in environmental and resource science from UC Davis, and a master's degree in soil science, also from UC Davis. Jan worked for five years in a UC Davis Soil Science research lab studying amendments used to prepare mined soils for revegetation. Jan joined the Department in 2001 to work for the Farmland Mapping and Monitoring Program (FMMP), where she mapped land use for the Important Farmland updates using remote sensing, GIS, and site visits throughout California. Jan is anxious to work with the AMLU team, where she can use her soil and plant knowledge, as well as her GIS and mapping skills, to help remediate abandoned mines. As a bat enthusiast, Jan is also very interested in learning more about, and participating in, the wildlife conservation and habitat protection efforts of the AMLU.



**Douglas John's** environmental career started in 1985 with a one-year term with the California Conservation Corps. Douglas then pursued an associate's degree in biology from Feather River College and then a bachelor's degree in wildlife from Humboldt State University, graduating in 1990 and 1996, respectively. He spent the last eight years with DWR, first as a fish and wildlife scientific aide identifying aquatic, benthic macroinvertebrates and assisting with water quality studies. Later, he worked as an environmental scientist on various projects, the most recent being the restoration of the East Branch Extension of the State Water Project, and as an environmental construction monitor on the Tehachapi East Afterbay project. Douglas looks forward to applying his knowledge of wildlife to the AMLU.

The **AMLU** finally has a much needed Office Technician to help them with their increasingly busy schedules! **Judith Waggoner** comes to us from the Department's Legal Office, where she worked for the Chief Counsel for more than five years. Judith has a wide range of work experiences, from the California Highway Patrol to the Governor's Office. Judith has a paralegal certificate and a restaurant management and catering certificate. Judith enjoys the work that OMR is doing for the people of California and is eager to learn more about abandoned mines.





## SMARA Update - History of Articles

Through the years, the *SMARA Update* newsletter has been a useful tool for mine operators and lead agencies. We thought it would be helpful to publish a summary listing of previous *SMARA Update* articles. Many of these older articles are as relevant and useful today as when they were originally published. Please visit the OMR website at <http://www.consrv.ca.gov/omr/smara/newsletter/SMARAUUpdateHistory.pdf> for a listing that links to an online version of each issue.

### FALL 2005

Meet the SMGB's New Executive Officer, Stephen M. Testa  
Volumetric Modeling of Mined Materials Using GPS and GIS  
Border Zone Property  
The New State Oak Woodlands Conservation Law  
Director of DOC Given Legal Standing  
New Director of DOC Named

### SUMMER 2005

Learning the Ropes of Remediation  
How Can the SMARA Update Work for You?  
SMGB Names New Executive Officer  
John Parrish Leaves the SMGB – But Not the DOC  
Governor Appoints New State Mining and Geology Board Members

### SPRING 2005

SMARA Database Helps Automate the Annual Reporting Process  
2004 California Non-Fuel Mineral Production  
SMARA Update Survey  
Why Reclaim Mined Lands with Native Plants?

### WINTER 2005

AMLU's Sustained Superior Accomplishment Award  
The Trouble with Arsenic  
Ecological Restoration and the "R" Words  
Revegetation Test Plot Guidelines  
The Application of SMARA to Surface Mining Operations in the Timber Harvest Plan Review Process  
Got Data? Reclamation Plans Made Easy  
The Leviathan Mine

### FALL 2004

A Day in the Life of the AMLU  
Planners Get Tough on Mining Companies  
New SMARA Legislation  
Spotlight: Abandoned Mine Land Forum  
Lead Agency Notice on the Release of Financial Assurances  
Meeting Professionals Honor Kit Gonzales

### SUMMER 2004

Release of Financial Assurances – Two Scenarios  
Statement of Responsibility  
OMR's New "AB 3098 List"

### SPRING 2004

OMR Unwraps New SQL Database – California Mining Statistics for 2002  
Low Cost Alternative to "Imprint Planting"  
Office of Mine Reclamation Organization Chart  
Mining on Williamson Act Lands

### WINTER 2004

The California Abandoned Mine Lands Forum  
AMLU Seals Abandoned Mine Shaft  
Buying and Maintaining Surety Bonds, and the Question of Environmental Liability Insurance  
"Section 3504.5" – A New Addition to the State Mining and Geology Board Regulations  
Projects that Apply to CEQA and NEPA

### FALL 2003

One Mine – One Reclamation Plan  
Special Publication 123 – Rehabilitation of Disturbed Lands in California  
What's New in OMR?  
New Legislation Requires  
Backfilling Metallic Mines

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Surety Bonding in Transition for the Mining Industry  
Cost Estimate Annual Update and Review  
State Senate Confirms Members of the State Mining and Geology Board  
State Mining and Geology Board Assumes Lead Agency Powers of El Dorado County and Yuba County  
What's New at the AMLU?

WINTER 2001

Governor Names New Chair, Members to State Mining and Geology Board  
State Mining and Geology Board Roster  
AML Unit Plugs Dangerous Mine Shaft with Foam  
Look Who's New at OMR!  
2001 Lead Agency Contact List Now Available at OMR's Website  
Reclamation Tips – Where's the Nitrogen?  
Native Plants that Form Symbiotic Nitrogen Fixing Associations  
Mycorrhizae in Reclamation

FALL 2000

OMR Completes Report on SMARA Compliance  
Surety Companies Removed from Circular 570  
Best Management Practices for Reclaiming Surface Mines – Storm Water and Erosion Control  
Yellow Starthistle and Its Control  
Financial Assurance Tips  
Approximate Material Characteristics Table

SUMMER 2000

AML Report Released to Public  
Two New Board Members Appointed by the Governor  
Stay Out – Stay Alive Program  
Some Close Calls for AMLU  
Utilizing GPS Technology  
Preservation and Conservation of Abandoned Mine Lands  
Financial Assurance Tips - Materials

SPRING 2000

State Mining and Geology Board Assumes El Dorado County's Inspection Authority

1999 Annual Reports Mailed  
Revegetation of Sulpher Bank Mercury Mine – Phase II  
Reclamation Tips – Don't Bust the Crust, It's Alive!  
Financial Assurance Tips – Certificates of Deposit

WINTER 2000

SMGB Issues Second 45-Day Notice to El Dorado County  
AB 297 and Adaptive River Management on Cache Creek  
DOC Gets More \$\$\$ in Governor's Budget  
Waffles are for Breakfast, Not Reclamation Plans  
Financial Assurance Tips – Performance Bond vs Standby Credit  
Best Management Practices for Reclaiming Surface Mines

FALL 1999

State Mining and Geology Board Back in Business!  
OMR to Publish Lead Agency Contact List  
Best Management Practices for Reclaiming Surface Mines – Maps as Management Tools  
California Non-Fuel Minerals - 1998  
Reclamation Tips – What is a Weed?  
Financial Assurance Tips – The ABC's of Letters of Credit

SPRING 1999

State Mining and Geology Board without a Quorum  
DOC Expands Compliance Focus  
Reporting Fees Increased  
Nursery Sources for California Native Species  
Reclamation Tips – Establishment Phase  
Monitoring and Maintenance  
Maps as Management Tools

WINTER 1999

OMR to Continue Its Outreach Efforts  
SMGB Issues 45-Day Notice to El Dorado County  
Mineral Classification Workshop

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RCU Staff Given Territorial Assignments  
Reclamation Tips – Containerized Seedling  
Source  
Compliance Corner – SMARA Annual  
Inspections

#### FALL 1998

Department of Conservation's Strategic Plan  
Complete  
El Dorado County Update  
DMG Conducts Classification Workshop in  
Fresno  
Reclamation Tips—"Hey, what are those cracks  
doing on my reclaimed slope?"  
SMARA MOU Being Updated  
SMARA Lead Agency Awards Get a Facelift  
The Abandoned Mine Lands Unit  
Compliance Corner – SMARA Annual  
Inspections  
Financial Assurance Tips – "What are Surety  
Companies and How Do I Find out about  
Them?"

#### SUMMER 1998

SMGB Assumes SMARA Review Authority for  
Nine Lead Agencies  
Mine Safety and Hazard Recognition Workshops  
Scheduled  
New Surety Bond Forms Now in Place  
Reclamation Tips – Ecological Restoration and  
the "R" Words  
OMR Geologist and Syar Industries Team Up to  
Teach Students About Geology  
Mine Safety During SMARA Inspections

#### SPRING 1998

El Dorado County Lawsuit  
Lead Agency Award Winners Announced  
Reclamation Tips – Soil Preparation  
SMARA Overview Presentation  
Board to Review Lead Agency Mining  
Ordinances

#### WINTER 1998

Model Surety Bond Forms Will Soon Be  
Available  
How to Speed Up Your Reclamation Plan  
Review  
Updated "Note 26" Now Available  
Utilizing Budget Set Asides and Pledges of Revenue  
Reclamation Tips – Acid Rock Drainage  
Board Action Regarding Enforcement  
Proceedings in El Dorado County

#### FALL 1997

Gravel Bar Skimming: Tradition and  
Techniques  
Abandoned Mines Program and Task Force  
Established  
Reclamation Tips – Winterizing  
Soil Compaction  
Compliance Corner – Do mine operators really have to  
adjust their financial assurances every year?  
Tips for Reviewing Cost Estimates

#### SUMMER 1997

Department of Conservation's New  
Enforcement Policy  
BLM to Revise Surface Management  
Regulations  
Reclamation Tips – Mining in Alluvial Fans  
Setting Revegetation Performance Standards – How to  
Sample  
Enforcement News – Status of Mine Operation  
Closure Orders

#### SPRING 1997

Lead Agency Award Winners Announced  
1997 Flood Update  
Status on "Flood Control" Regulation  
OMR Testifies at Planning Commission Hearing  
Setting Revegetation Performance Standards -  
Parameters  
Reclamation Tips – Seed Collection Guidelines  
Status on "Farm Exemption" Regulation  
Compliance Corner – AB3098 Eligible List

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WINTER 1997

Oil and Gas Exemption Added to SMARA  
DMG Releases Updated Active Mines List  
Revegetation of Sulphur Bank Mercury Mine  
Amador County Update  
"Emergency" Regulations No Longer Required  
For Fees Schedule

FALL 1996

SMGB Defines the Flood Control Exemption  
Reclamation Tips – Native Seed Collection for  
Mined-Land Revegetation  
Compliance Corner – Lead Agency Inspections

Your input is needed to make this newsletter a more effective communication tool. If you have general or technical questions about SMARA that would be suitable for a newsletter article, we'd like to hear them. If you have ideas for improving the SMARA Update, wish to submit an article for publication, or have general comments about how OMR is doing, please fill out the short electronic **survey** form at: <http://www.consrv.ca.gov/OMR/smara/newsletter/survey.htm>.

Your responses will help us make the SMARA Update – and OMR – work better for you.

## Annual Recalculation of Financial Assurances

The question keeps coming up: "Do financial assurances have to be recalculated every year?"  
The answer is: "Yes."

The amount of financial assurances required of a surface mining operation for any one year must be adjusted annually to account for new lands disturbed by surface mining operations, inflation, and the reclamation of lands accomplished in accordance with the approved reclamation plan. This requirement is in addition to the financial assurance calculation required when a reclamation plan or reclamation plan amendment is submitted to a lead agency for approval.

**Annual submission by mine operators.** In order for the lead agency or the Department of Conservation (Department) to determine what annual adjustments, if any, are appropriate to the financial assurance amount, the operator must annually submit to the lead agency a revision of the calculation of the financial assurance amount.

**Lead agency responsibility.** The lead agency must submit a copy of the calculation of the financial assurance amount to the Department for review. It must include the information and documentation relied upon in calculating the amount of the proposed financial assurance, and it must indicate to the Department that the financial assurance amount is adequate for the reclamation of the mined lands in accordance with the approved reclamation plan. A lead agency can meet this requirement by attaching a copy of the revised financial assurance amount calculation to the new Surface Mining Inspection Report Form and indicating in the "Financial Assurance comments" section that the proposed amount is adequate (see related article on page 3).

*For more information on this topic, please refer to the fall 2003 and fall 1997 issues of the SMARA Update, which contain related articles. See also Public Resources Code Section 2773.1(a)(3) and 2774(c); California Code of Regulations, Title 14, Sections 3804, 3805, and 3805.5; and Guideline 16 of the State Mining and Geology Board's Financial Assurance Guidelines. All of this information is available on the Department's website at <http://www.conservation.ca.gov>.*

## OMR/OTS Team Wins Superior Accomplishment Team Award

Each year, the Department of Conservation presents awards to those individuals and teams who go above and beyond the call of duty. This past year, a team made up of members of OMR's Reporting Unit and members of the Department's Office of Technology Services (OTS), received the prestigious Superior Accomplishment Team Award.

The members of this team recognized the need to accelerate the annual report review process, separate it from the mine file review process, and provide prompt feedback to mine operators. The three OMR team members (Gloria Tomczyk, Roger Le-Hinds, and Alicia Nguyen) devised standardized "deficiency notices" and "acknowledgement letters." Working with the two OTS team members (Pamela Haase and Eric Wan), they made the generation of these letters automatic. This allowed the annual reporting process to occur independently of the mine file review process. It provided immediate feedback to mine operators on deficiencies in their annual reports, and it allowed them to resolve reporting issues in a timely fashion. It also saved OMR staff time related to the preparation of approximately 300 custom-tailored letters. In the first year of implementation (the 2004 annual reporting period), the annual reporting process was substantially completed within the first two weeks of the fiscal year (mid-July). Go Team!



From left to right: Pamela Haase, Douglas Craig, Gloria Tomczyk, Roger Le-Hinds, DOC Director Bridget Luther, Eric Wan, John Lane, and Alicia Nguyen

## AB 3098 List Updated

The Department of Conservation periodically publishes the "AB 3098 List" – essentially a list of surface mining operations that may legally sell mined materials to state and local agencies. In order to be on the AB 3098 List, a mining operation must meet the criteria established in Public Resources Code Section 2717(b). This includes submission of a completed Mining Operation Annual Report (MRRC-2) form to the Department not later than July 1 for the prior reporting year and payment of the annual reporting fee.

The most recent version of the AB 3098 List, published on January 6, 2006, is available on the Department's website at [http://www.consrv.ca.gov/omr/ab\\_3098\\_list/index.htm](http://www.consrv.ca.gov/omr/ab_3098_list/index.htm). This version of the AB 3098 List reflects the removal of 23 mining operations for failure to submit an annual re-

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port or pay the annual reporting fee. Each of these mining operations was sent two reminder letters and given 30 days to submit the required report and fees before being removed from the list. The current AB 3098 List also reflects the restoration of five mining operations that had been removed in the past for the same reasons but submitted annual reports and fees during the preceding quarter.

Mine operators who are late in paying the annual reporting fee will be assessed a penalty and interest. In addition, those who fail to submit a Mining Operation Annual Report may also be subject to an administrative penalty.

## Gold and Silver Mining Fee Pays for Remediation Projects



A bat gate is installed at the Stonehouse Mine.  
(Photo courtesy of Ed Winchester)

Last year, Chapter 383 (Senate Bill 1110) clarified that fees collected on gold and silver mining could be used to remediate features of historic abandoned mines and the lands that they impact. This legislation became effective on January 1, 2006.

Not wasting any time, in January 2006, the AMLU installed bat-compatible gates in Adit #14 and Adit #19 of the Alabama Mohawk Mine in Inyo County and placed fencing around two hazardous shafts at the Paymaster Mine in Imperial County.

The AMLU also installed bat gates on the lower and upper adits of the Stonehouse Mine in Riverside County. The Stonehouse Mine is home to the largest known

winter colony of California leaf-nosed bats (*Macrotus californicus*) — more than 4,000 of them — in the United States.

On April 24-28, 2006, the AMLU, the U.S. Bureau of Land Management, the U.S. Forest Service, and Bat Conservation International (BCI) will co-sponsor a mine gating workshop in Bishop, California. This workshop is designed to give participants hands-on experience constructing high-quality, bat-friendly gates that will provide human protection as well as continued access to abandoned mines by bats and other wildlife. It will also cover issues related to mine safety, bat gate design and fabrication techniques, and monitoring.

Details are available on the BCI website at [http://www.batcon.org/news/news\\_item.asp?NewsID=266](http://www.batcon.org/news/news_item.asp?NewsID=266).



*Macrotus californicus* (Photo courtesy of Merlin D. Tuttle, Bat Conservation International, [www.batcon.org](http://www.batcon.org))

**DEPARTMENT OF CONSERVATION****OFFICE OF MINE RECLAMATION**

801 K STREET • MS 09-D6 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 323-9198 • FAX 916 / 322-4662 • TDD 916 / 324-2555 • WEB SITE [conservation.ca.gov](http://conservation.ca.gov)**NOTICE****January 31, 2006****TO: ALL LEAD AGENCIES, CONTRACTORS TO LEAD AGENCIES, MINE OPERATORS, AND INTERESTED PARTIES****SUBJECT: REVISED SURFACE MINING INSPECTION REPORT FORM (MRRC-1)**

This notice is to inform you that a revised version of the Surface Mining Inspection Report form (Inspection Report) is now available for immediate use by lead agency personnel and lead agency contractors conducting inspections of surface mining operations subject to the Surface Mining and Reclamation Act of 1975 (SMARA). Public Resources Code (PRC) Section 2774(b) states: "The lead agency shall conduct an inspection of a surface mining operation within six months of receipt by the lead agency of the surface mining operation's report submitted pursuant to Section 2207, solely to determine whether the surface mining operation is in compliance with this chapter. In no event shall a lead agency inspect a surface mining operation less than once in any calendar year." PRC Section 2773.1(a) further provides that the amount of financial assurances required of a surface mining operation for any one year shall be adjusted annually to account for new lands disturbed by surface mining operations, inflation, and reclamation of lands accomplished in accordance with the approved reclamation plan.

Based upon recommendations submitted by the Office of Mine Reclamation (OMR) and comments provided by interested parties at the State Mining and Geology Board (SMGB) meeting held in September 2005, the SMGB approved changes to the Inspection Report. For your reference, we have attached a copy of the revised Inspection Report with this notice and have highlighted, in grayscale, the revised portions. Please note that the most significant change to the Inspection Report is the incorporation of an additional page (see Page 2) for capturing financial assurance information. This page requires lead agencies to provide detailed information about financial assurance cost estimates and mechanisms for each mining operation. Including this information on the Inspection Report will help ensure that financial assurance amounts are adjusted annually as required by PRC Section 2773.1(a). Other changes on the Inspection Report include:

- Fields for the inspection date and mine ID number are now included at the top of all three pages of the Inspection Report.
- Fields are provided to supply optional email addresses (Page 1).
- Separate fields are provided for including the California Mining Claim Number and the U.S. Forest Service Identification Number, if applicable (Page 1).

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*The Department of Conservation's mission is to protect Californians and their environment by:  
Protecting lives and property from earthquakes and landslides; Ensuring safe mining and oil and gas drilling;  
Conserving California's farmland; and Saving energy and resources through recycling.*



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January 31, 2006  
Page Two

- A field is provided for inclusion of a previously omitted reclamation standard: Closure of Surface Openings (Page 3).

To assist you in completing the revised form, OMR has also updated the corresponding instructions located on the back of each page of the Inspection Report.

**IMPORTANT NOTE:** Effective immediately, all lead agencies and lead agency contractors must use the revised Inspection Report for all inspections performed in accordance with PRC Section 2774(b). OMR will not accept, and will return to the submitting lead agency, all obsolete versions of the Inspection Report prepared for inspections conducted after the date of this notice.

For your ease of access and use, the revised Inspection Report is now available electronically in a "print and fill" version (i.e., Adobe Acrobat PDF file format) on the Department of Conservation's (Department) website at:

[http://www.consrv.ca.gov/OMR/reporting\\_compliance/index.htm](http://www.consrv.ca.gov/OMR/reporting_compliance/index.htm)

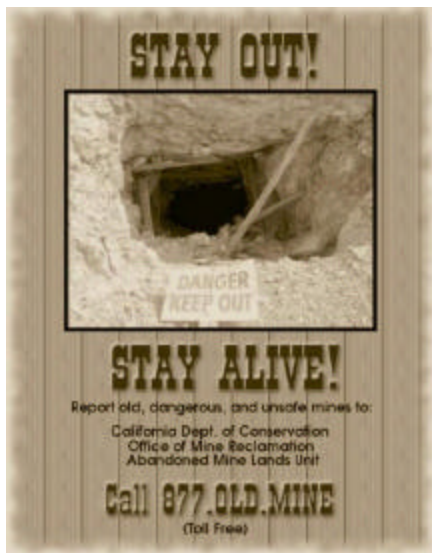
If you are unable to access the form via the Department's website at the location listed above, please contact OMR at (916) 323-9198.

Because the Inspection Report is now available via the Department's website, OMR will no longer be producing the multi-page/multi-colored version of the Inspection Report used in the past. Please note that lead agency distribution of original completed Inspection Reports, and all applicable copies, must be provided in accordance with the distribution outlined in the footer of the revised Inspection Report.

OMR believes that the revised Inspection Report will streamline the financial assurance review process for lead agencies and for OMR, assist lead agencies in their administration of SMARA, improve accuracy related to financial assurance cost estimates and mechanisms, and provide a standard format for timely reporting of critical financial assurance information.

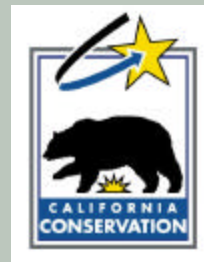
Please share this notice with other interested parties that you feel may be impacted or need to be aware of this change. If you have any questions regarding the revised Inspection Report, please feel free to call this office at (916) 323-9198.

Enclosures



The SMARA Update is a quarterly publication of:

Department of Conservation  
Office of Mine Reclamation  
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Our web site address is <http://www.conservation.ca.gov/omr>

The purpose of this publication is to impart the latest reclamation tips as well as changes in SMARA-related legislation or the interpretation of existing statutes by court decisions.

Director:	Bridgett Luther
Assistant Director for OMR:	Douglas W. Craig
Newsletter Editor:	Lynne Taylor

### California's Top 10 Noxious Weeds:

- |                                       |   |
|---------------------------------------|---|
| 1. Yellow starthistle                 | <i>Centaurea solstitialis</i>   |
| 2. Scotch, French, and Spanish brooms | <i>Genista monspessulana</i> , <i>Cytisus scoparius</i> , and <i>Spartium junceum</i> |
| 3. Giant reed                         | <i>Arundo donax</i>   |
| 4. Pampas grass                       | <i>Cortaderia jubata</i> , <i>C. selloana</i>   |
| 5. Perennial pepperweed               | <i>Lepidium latifolium</i>  |
| 6. Knapweed                           | <i>Centaurea maculosa</i> , <i>C. squarrosa</i>                                       |
| 7. Salt cedar                         | <i>Tamarix ramosissima</i>  |
| 8. Tree of heaven                     | <i>Ailanthus altissima</i>  |
| 9. Purple starthistle                 | <i>Centaurea calcitrapa</i>   |
| 10. Puncture vine                     | <i>Tribulus terrestris</i>  |

*OMR - Ensuring mined lands are returned to a beneficial end use after mining.*